

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION
CINCINNATI**

XIAFEN “SHERRY” CHEN

1438 Meadow Ridge Circle

Wilmington, OH 45177

Plaintiff,

vs.

UNITED STATES OF AMERICA

Defendant.

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Case No. 1:19-CV-00045

District Judge Timothy S. Black

**PLAINTIFF’S MOTION FOR LEAVE
TO AMEND THE COMPLAINT AS A
MATTER OF RIGHT**

JURY TRIAL DEMANDED

I. INTRODUCTION

Plaintiff Xiafen “Sherry” Chen, through undersigned counsel, respectfully moves this Court for leave to file the attached Amended Complaint, and, in support thereof asserts as follows:

1. Plaintiff Sherry Chen filed her Complaint in this matter on January 18, 2019. The Complaint alleged claims for malicious prosecution and the false arrest of Sherry Chen.
2. Pursuant to Fed. R. Civ. P. 15 (a), plaintiff can amend her original complaint in this action as a matter of course within the period to respond to the motion to dismiss.
3. The Amended Complaint provides additional factual support for Plaintiff's claims and adds new legal claims and Defendants to this important case in which important Constitutional protections are at stake.
4. At all times in this action Plaintiffs have acted in good faith and without delay. No prejudice will be experienced by any opposing part since they have not answered the Complaint, there is no responsive filing, and no discovery or scheduling has taken place.

The proposed Amended Complaint is attached to this motion.

Respectfully submitted,

/s/ Michele L. Young (0062011)
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